

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TRI Q. ON,

)

8:11CV282

)

Petitioner,

)

)

v.

)

**MEMORANDUM
AND ORDER**

)

ROBERT HOUSTON,

)

)

Respondent.

)

The petitioner, Tri Q. On, has filed a Petition Under [28 U.S.C. § 2254](#) for Writ of Habeas Corpus by a Person in State Custody, (filing no. [1](#)), a Motion to Proceed In Forma Pauperis (filing no. [3](#)), and a copy of his Institutional Account Statement (filing no. [4](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Tri Q. On's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Tri Q. On is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that:

The Motion to Proceed In Forma Pauperis (filing no. [3](#)) is provisionally granted and Tri Q. On will not be required to pay the \$5.00 fee at this time.

Dated September 7, 2011.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge